IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 9987 of 2007(L)

PETITIONER:

PUTHENVEETTIL NARAYANA PILLAI,
AGED 57 YEARS, S/O.KUNJAN PILLAI,
RESIDING AT AYYAMKUNNU AMSOM DESOM,
PO MUNDAYAMPARAMBA, KANNUR DISTRICT.

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:

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1. THE SECRETARY,
THE THALASSERY PRIMARY CO-OPERATIVE AGRICULTURAL DEVELOPMENT BANK LTD.,
THALASSERY-3.

2. THE SPECIAL SALE OFFICER,
THE THALASSERY PRIMARY CO-OPERATIVE AGRICULTURAL RURAL DEVELOPMENT BANK LTD., P.O. THIRUVANGAD,
THALASSERY-670 103.

3. THE JOINT REGISTRAR,
OFFICE OF THE JOINT REGISTRAR AND CO-OPERATIVE SOCIETIES, KANNUR.

BY ADV. SRI.P.V.SURENDRANATH
SRI.P.V. DEPU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO. 9987 OF 2007 L

PETITIONER'S EXHIBITS:

EXT.P1	**TRUE COPY OF THE ORDER OF THE THIRD RESPONDENT DATED 7.7.2000.**
EXT.P2	**TRUE COPY OF THE JUDGMENT IN OP.20485/00 OF THIS HONOURABLE COURT DATED 21.7.2000.**
EXT.P3	**TRUE COPY OF THE NOTICE ISSUED BY THE FIRST RESPONDENT BANK DATED 13.8.2001.**
EXT.P4	**TRUE COPY OF THE NOTICE ISSUED BY FIRST RESPONDENT BANK DATED 6.9.2001.**
EXT.P5	**TRUE COPY OF THE NOTICE ISSUED BY 1ST RESPONDENT BANK DATED 31.10.2002.**
EXT.P6	**TRUE COPY OF THE NOTICE ISSUED BY 1ST RESPONDSENT BANKA DATED 13.2.2004.**
EXT.P7	**TRUE COPY OF THE NOTICE PUBLISHED IN DESABHIMANI DAILY DATED 9.3.2007.**

// TRUE COPY //

PS TO JUDGE.

K. M. JOSEPH, J.

W.P.C. NO. 9987 OF 2007 L

Dated this the 29th May, 2007

JUDGMENT

Heard the learned counsel appearing on behalf of the petitioner and the learned standing counsel appearing for the respondent Bank. Petitioner availed a loan which was not repaid. Coercive steps were taken. When the matter came up today, counsel for petitioner submits that the petitioner may be permitted to pay off the entire amount with due interest in instalments. The Writ Petition is disposed of as follows:

Petitioner is permitted to pay off the entire amount remaining to be paid with due interest in four equal monthly instalments, the first of which shall be payable on or before 20.6.2007 and the remaining instalments shall be paid on or before the 20th of every succeeding month. If the amounts are paid as aforesaid, the respondent Bank agrees that it will re-convey the property to the petitioner upon payment of the entire amount due. In case the petitioner does not pay any of the

instalments, petitioner will lose the benefit of this Judgment and it will be open to the Bank to stand by its rights. The respondent Bank will furnish a Statement of Account showing the exact amount payable by the petitioner within a period of two weeks from today. It is open to the Bank to make any concession to the petitioner, when it makes available the Statement of Account.

K. M. JOSEPH, JUDGE

kbk.